

**CONSTITUTION AND BYLAWS OF FORT SHERMAN CHAPTER # 9
DISABLED AMERICAN VETERANS, COEUR D' ALENE, IDAHO**

Revised July 2016

CONSTITUTION

ARTICLE I - NAME

The name of this Chapter shall be FORT SHERMAN Chapter #9, Department of IDAHO,
DISABLED AMERICAN VETERANS.

ARTICLE II - PURPOSE

The purpose of this chapter is to support the program of the Disabled American Veterans as defined in the National Constitution and Bylaws.

ARTICLE III – MEMBERSHIP

Membership in this chapter shall conform with the requirements as set forth in the National Constitution and Bylaws.

ARTICLE IV - ADMINISTRATION

Section 1: The administrative affairs of the chapter shall be vested in the Executive Committee in emergencies only and after all other actions of the Executive Committee must be ratified by a simple majority vote of the Chapter.

Section 2: The Executive Committee shall be composed of the Commander, Senior Vice Commander, First Junior Vice Commander, Second Junior Vice Commander, Treasurer and all other elected Chapter Officers.

Section 3: At the time specified, the Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer and such other officers as may be necessary to operate the chapter.

ARTICLE V - EXECUTIVE

The executive power of this Chapter shall be vested in the Chapter Commander.

ARTICLE VI - AUXILIARY

This chapter does recognize auxiliary unit nine. This Chapter does recognize National Order of Trench Rats Dugout number 637 as a Chapter auxiliary.

ARTICLE VII - AMENDMENTS

This Constitution may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to the approval of the Department and National Judge Advocate, and effective only after date of this approval; provided that any such amendment is read at two (2) meetings and that all members were notified of the proposed change prior to each of the two (2) meetings.

BYLAWS

ARTICLE 1 – ORGANIZATION

- Section 1: This Chapter recognizes the National Organization known as Disabled American Veterans, incorporated by an Act of Congress, and affirms its allegiance and subordination to the National Organization, its Constitution, Bylaws and all rules, mandates, and regulations promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after payment of debts shall be distributed as provided in Article 6, Section 6.4, paragraphs 5 and 6 of the National Bylaws.
- Section 2: Governing body of this Chapter shall be the Chapter in session, except as provided as in the Constitution.
- Section 3: Records of the proceedings of the Chapter and Executive Committee shall be kept and open for inspection to any member in good standing.

ARTICLE 2 – CHARTER

Section 1: The Charter of this Chapter, issued by the National Executive Committee, is its authority to function and shall be displayed behind the Commander's Station at all regular meetings.

ARTICLE 3 – EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall be composed of the Commander, Senior Vice Commander, First Junior Vice Commander, Second Junior Vice Commander, Treasurer and all other elected chapter officers.

Section 2: Meetings of the Executive Committee will be called by the Commander, or at the request of a majority of its members, made in writing to the Commander.

Section 3: Appointed officers, committee chairman and lay members may attend the Executive Committee meetings, but without the right to vote.

Section 4: A majority of the members of the Executive Committee shall constitute a quorum.

Section 5: The Executive Committee may act for the Chapter only in emergencies and at all other times they shall recommend courses of action to the Chapter in session.

ARTICLE 4 – OFFICERS

Section 1, Para. 1: The Chapter shall elect a commander, Senior Vice Commander, First Junior Vice Commander, Second Junior Vice Commander, Treasurer and such other officers as may be necessary to operate the chapter.

Section 1, Para 2: The Commander shall appoint the Adjutant, committee chairman and members, with the exception of the Nominating Committee, and such other officers as are necessary to carry out the business of the Chapter.

Section 1 Para 3: A Chapter officer report shall be submitted to the State Department and National Organization within ten (10) days after the installation of newly elected or appointed chapter officers or in the event of any subsequent change in the Chapter officers during the membership year.

Section 2 Para 1: The Commander shall be the presiding officer and in his absence, the duty will fall to the next highest officer in the line of succession who is present.

Section 2 Para 2: The Senior Vice Commander shall be the Membership Chairman and as such is responsible for campaigns to increase membership.

Section 2 Para 3: The Treasurer or other designated officer shall keep an accurate record of all monies received and disbursed and shall deposit any monies received as soon as possible. He shall make a report on finances at each meeting and records shall be open to any member when a request is made in writing through the Executive Committee. Annual financial report shall be submitted to the State Department and National Organization within ninety (90) days after the close of the accounting year of the Chapter.

ARTICLE 5 – QUALIFICATIONS

Section 1: Any person who is a member in good standing shall be eligible to any elective or appointive office in this Chapter.

ARTICLE 6 – TENURE OF OFFICE

Section 1: Officers shall be nominated three months prior to the Department Convention. The Elections shall be held two months prior to the Department Convention.

Section 2: Elected and appointed officers shall be installed prior to the Department Convention each year. They shall serve for one (1) year or until the newly elected or appointed officers have been installed.

Section 3 Para 1: Unexcused absence of any officer from three (3) consecutive meetings shall be cause for removal and the Commander is empowered to appoint a member to serve the unexpired term, with the approval of the Chapter.

Section 3 Para 2: In the event the office of Commander shall be vacated for any reason, the Senior Vice Commander shall be elevated to Commander, Junior Vice Commander to Senior Vice Commander and the vacancy filled as outlined in Para. 1.

Section 4: It shall require a majority of votes to elect a candidate for any office. It shall also require a majority of votes cast to elect delegates or alternates to a State or National Convention. However, if there are less delegates or alternates than the number to which the Chapter is entitled, then all such candidates nominated for delegate or alternate shall be declared elected.

ARTICLE 7 – MEMBERSHIP

- Section 1: Applicants for transfer shall be investigated by the Membership Committee and a report made to the Chapter at the next regular meeting.
- Section 2: Only members in good standing are eligible to vote on any motion or election.
- Section 3: No applicant shall be denied Chapter membership if he meets the eligibility requirements as set forth in the National Constitution and Bylaws.
- Section 4: Annual and life members may secure a transfer of membership upon the approval of the Chapter.

ARTICLE 8 – FINANCES

- Section 1: The Treasurer or other designated officer shall deposit all monies in the name of the Chapter and shall co-sign with the Commander or one other officer on all checks.
- Section 2: The Treasurer or other designated officer shall be charged with handling normal finances in the operation of the Chapter.

ARTICLE 9 – MEETINGS

- Section 1: Chapter meetings shall be held at least once each month for at least nine months a year. Meeting dates are to be set by majority vote of the Chapter in session.
- Section 2: Place and time of meetings shall be determined by the desires of the Chapter.
- Section 3: Rules of Chapter meetings shall be as follows:
- RULE 1. A quorum shall consist of four chapter members, of whom at least three shall be elected officers.
- RULE 2. Robert's Rules of Order, Newly Revised, Edition 11, will govern except as hereafter specifically stated.
- RULE 3. Discussion of personal grievances will not be in order on the floor unless brought out by the Grievance Committee.
- RULE 4. Matters concerning the individual only with respect to his own personal interest, shall not be in order but may be taken before proper committee.

RULE 5. Voting shall be voice unless otherwise requested by at least seven (7) members.

ARTICLE 10 – COMMITTEES

- Section 1: All committees will meet at the call of the Chairman or Commander.
- Section 2: Committees shall consist of not less than three (3) or more than seven (7) members (except as otherwise herein provided), including the Chairman. Committees shall be appointed by the Commander with approval of the Chapter with the exception of the Nominating Committee which shall be elected by the Chapter.
- Section 3: The Chapter Commander shall be a non-voting member of all committees with the exception of the Nominating and Auditing Committees.
- Section 4: The Chapter shall have an Audit Committee composed of at least three (3) members of the Chapter, excluding the Commander, Senior Vice Commander, Treasurer, Adjutant and Finance Committee Chairman. The Audit Committee shall conduct an annual audit in accordance with the requirements of Article 9, Section 9.3 of the National Bylaws.

ARTICLE 11 – MISCELLANEOUS

- Section 1 Para 1: These Bylaws may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to approval of the Department and National Judge Advocate, and effective only after date of this approval, provided that such amendment is read at two (2) meeting and that all members were notified of the proposed change prior to each of the two meetings.
- Section 1 Para 2: A copy of this Constitution and Bylaws shall be properly affixed to the back of the framed Charter to prevent its loss and in order that they may always be available for reference.
- Section 1 Para 3: To the extent to which the provisions of this Constitution and Bylaws are or may at any time become inconsistent with the provisions of the Constitution and Bylaws and lawful mandates, decisions and regulations of either the State or National Departments, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.
- Section 2: All disciplinary actions will be handled in accordance with Article 16 of the National Bylaws.

ATTEST: _____.

FIRST READING: MARCH 29, 2016

SECOND READING: APRIL 26, 2016

Adopted after the second and final reading on the 26TH day of 2016.

Article 1, Section 1 as directed by the National Judge Advocate in his approval letter of June 21, 2016 has been added to the Chapter Bylaws.

Robert B. Hunt, PDC Fort Sherman # 9
Chapter Adjutant
Date: July 10, 2016

Charles Till, Fort Sherman # 9
Chapter Commander
Date: July 10, 2016

Lynn Payne
Department of Idaho Judge Advocate
Date: _____

Michael E. Dobmeier
National Judge Advocate
Date: _____